

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Frank C. Barker

Examiner: To Be Assigned

Application No.: **10/603,214**

Art Unit: To Be Assigned

Filed: **June 25, 2003**

Title: **Method and Packaging for Pressurized Containers**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 14, 2003
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

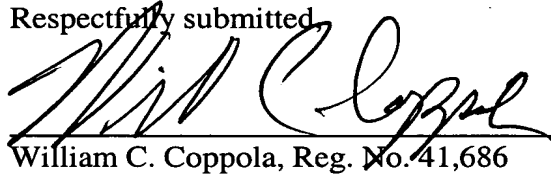
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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
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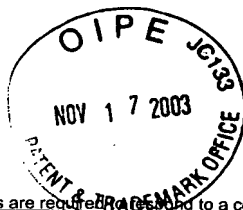
Respectfully submitted,



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Substitute for form 1449A/PTO			C m p l t i f K n o w n		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/603,214	
			Filing Date	06-25-2003	
			First Named Inventor	BARKER	
			Group Art Unit		
			Examiner Name		
Sheet	1	of	3	Attorney Docket Number	USAV2001/0077 - US - NP

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		2003/0140923 A1		TAYLOR et al	07-31-2003	
		3,442,686		JONES	05-06-1969	
		4,145,001		WEYENBERG et al.	03-20-1979	
		4,150,744		FENNIMORE	04-24-1979	
		4,332,845		NAWATA et al.	06-01-1982	
		4,407,897		FARRELL et al	10-04-1983	
		4,449,632		MARUSIAK Jr.	05-22-1984	
		4,528,234		KAIHO et al	07-09-1985	
		4,657,133		KOMATSU et al.	04-14-1987	
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		4,702,963		PHILLIPS et al.	10-27-1987	
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		5,221,566		TOKOH et al.	06-22-1993	
		5,300,138		FISCHER et a.	04-05-1994	
		5,322,161		SHICHMAN et al.	06-21-1994	
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		5,657,748		BRAITHWAITE	08-19-1997	
		5,911,937		HEKAL	06-15-1999	
		6,050,400		TASKIS et al.	04-18-2000	
		6,103,141		INCORVIA et al.	08-15-2000	

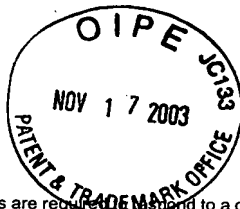
FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		JP	58-148759		NAOE et al.	09-03-1983		
		WO	93/11938		WILFONG et al.	06-24-1993		
		WO	03/043905		BARKER et al	05-30-2003		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/603,214		
		Filing Date	06-25-2003		
		First Named Inventor	BARKER		
		Group Art Unit			
		Examiner Name			
Sheet	3	of	3	Attorney Docket Number	USAV2001/0077 - US - NP

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		, Guidance for Industry-Metered Dose Inhaler (MDI) and Dry Powder Inhaler (DPI) Drug Products, U.S. Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (CDER), October, 1998	
		, Guidance for Industry-Submission of Documentation in Drug Applications for Container Closure Systems Used for the Packaging of Human Drugs and Biologics, U.S. Department of Health and Human Services, Food and Drug Administration; Center for Drug Evaluation and Research (CDER) and Center for Biologics Evaluation and Research (CBER), June 1997	

Examiner Signature		Date Considered	
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